

1981

c 39 Ministry of Community and Social Services Amendment Act, 1981

Ontario

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CHAPTER 39

**An Act to amend
the Ministry of Community and Social Services Act**

Assented to October 30th, 1981

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 5 of the *Ministry of Community and Social Services Act*,^{s. 5, amended} being chapter 273 of the Revised Statutes of Ontario, 1980, is amended by adding thereto the following subsection:

(2) Section 6 of the *Executive Council Act* does not apply to a deed or contract that is executed under an authorization made under subsection (1).^{Application of R.S.O. 1980, c. 147, s. 6}

2. The said Act is amended by adding thereto the following sections:^{ss. 6a-6d, enacted}

6a. The Lieutenant Governor in Council may, from time to time, direct a payment or payments in such manner and amounts as are determined by the Lieutenant Governor in Council to any person for injury or damage inflicted upon that person by,^{Payments}

(a) any other person who is in the care or custody or under the control or supervision of any employee of the Ministry; or

(b) any other person who is a Crown ward under the *Child Welfare Act* or the *Training Schools Act*,

^{R.S.O. 1980, cc. 66, 508}

or for any injury suffered by any person referred to in clause (a) or (b).

6b. Where, as the result of the negligence or other wrongful act or omission of another person, any person suffers a loss for which he receives a benefit from the Ministry, the Minister is subrogated to any right of the person sustaining the loss to recover the cost incurred for a past benefit provided to the person as a result of the loss and the cost that will probably be incurred^{Subrogation}

for future benefits, and the Minister may bring action in his own name or in the name of the person receiving the benefit for the recovery of such costs.

Inspection

6c.—(1) The Minister may designate in writing any person with power to perform an inspection of any book, record or account in respect of any payment made under any Act administered by the Ministry and may require a recipient of such payment to prepare and to submit to such person a financial statement that sets out the details of the disposition of the payment by the recipient.

Regulations,
"recipient"
defined

(2) The Lieutenant Governor in Council may make regulations defining "recipient" for the purposes of this section.

Obstruction
of
inspector

(3) No person shall obstruct the person designated under subsection (1) in the performance of an inspection of any book, record or account or conceal or destroy any books, papers, documents or things relevant to the subject-matter of the inspection.

Offence

(4) Every person who knowingly contravenes subsection (3) and every director or officer of a corporation who knowingly concurs in such contravention is guilty of an offence and on conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both.

Idem,
corporation

(5) Where a corporation is convicted of an offence under subsection (4), the maximum penalty that may be imposed upon the corporation is \$25,000 and not as provided therein.

Commissioner
for taking
affidavits
R.S.O. 1980,
c. 75, 152

6d. The Minister may designate one or more employees of the Ministry to be a commissioner or commissioners for taking affidavits within the meaning of the *Commissioners for Taking Affidavits Act* for the purpose of the *Family Law Reform Act*.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. The short title of this Act is the *Ministry of Community and Social Services Amendment Act, 1981*.